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June 30, 2011

VIA ELECTRONIC MAIL AND OVERNIGHT DELIVERY

Ms. Valerie Mullins, Enforcement Specialist
U.S. EPA, Region 5
Enforcement Services Section 1
(Mail Code: SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: West Vermont Drinking Water Site, Speedway, Indiana, Site ID # B5UJ (the "West Vermont Site")

Dear Ms. Mullins:

As you know, this law firm represents the Genuine Parts Company ("GPC") in connection with the above-referenced West Vermont Site. This letter follows the June 16, 2011 meeting at U.S. Environmental Protection Agency ("U.S. EPA") Region 5 headquarters with representatives of U.S. EPA, the Indiana Department of Environmental Management ("IDEM"), Allison Transmission, Inc. ("Allison"), Aimco Michigan Meadows Holdings, LLC ("Aimco"), and GPC. As part of the discussion at the June 16 meeting, we expressed on behalf of our client general concerns and disagreement with the Technical Memorandum Analytical and Hydrogeological Evaluation, dated March 27, 2011, prepared by Weston Solutions, Inc. (the "Weston Technical Memorandum"). As suggested at the meeting, we are hereby submitting the attached report by Environ regarding its review of the Weston Technical Memorandum (Tab A).

In addition, attached is an initial report by Environ regarding its review of the figures and drawings presented by Allison's consultant at the June 16, 2011 meeting (Tab B). As of the date of this submittal, the backup documentation for the figures and drawings, including data and laboratory reports, has not been provided as requested at the meeting. The balance of this letter provides proposed action items regarding the Weston Technical Memorandum and abbreviated comments regarding the attached Environ reports.

EPA Should Withdraw or Require Revision of the Weston Technical Memorandum.

As discussed in detail in the Environ report attached at Tab A, Weston draws conclusions regarding the source of contaminants at the West Vermont Site based on incomplete and inaccurate characterizations of groundwater flow and contaminant occurrence. Such conclusions are being made by Weston in spite of "multiple data gaps" (*see e.g.*, Section 5 and the last bulleted item on page 23 of the Weston Technical Memorandum). Among other comments, Environ's report states that the Weston Technical Memorandum should have presented all of the known and relevant data without attempting to draw conclusions as to whether one particular facility or location is more likely than another to be the source of contaminants at the West Vermont Site. Very simply, the acknowledged data gaps are too substantial to support such sweeping conclusions in the Weston Technical Memorandum.

EPA should either withdraw the Weston Technical Memorandum in its entirety (until such time as the data gaps are resolved) or, at a minimum, direct Weston to revise their Technical Memorandum to remove its premature conclusions regarding the likely or unlikely source of contaminants at the West Vermont Site, together with all other statements that cannot reasonably be drawn from the available data. To that end, at least the following should be removed from the Weston Technical Memorandum:[1]

- The second and last sentences in the third bulleted item on page 22;
- The fourth and seventh sentences in the sixth bulleted item on pages 22-23;
- The first sentence in the first full bulleted item on page 23; and
- Conforming changes to the balance of the Weston Technical Memorandum.

The New Allison Figures Do Not Resolve the Substantial Data Gaps Regarding the Allison Transmission Plant as a Potential Source of Contamination at the West Vermont Site.

At the June 16, 2011 meeting, Allison's consultant presented figures and drawings containing incomplete information about a recent investigation reportedly conducted by or on behalf of Allison or General Motors Corporation. Allison alleges that these figures support its position that there is no "nexus" between the chlorinated solvents present at the Allison Transmission Plant and those same chlorinated solvents found at the West Vermont Site. As indicated in the Environ report attached at Tab B, substantial data gaps still remain regarding the extent of groundwater contamination originating from the Allison Transmission Plant. The Allison figures, therefore, do not provide sufficient

[1] By suggesting certain revisions to the Weston Technical Memorandum, we do not necessarily affirm other conclusions or evaluations presented therein.

information to reliably conclude that there is no "nexus" between contaminants at the West Vermont Site and the Allison Transmission Plant. Instead, the available data, including groundwater flow and known chlorinated solvent groundwater contamination at the Allison Transmission Plant appear to lead to the opposite conclusion: the Allison Transmission Plant remains a potential source of the reported groundwater contamination at the West Vermont Site.

There is no question that solvents from the Allison Transmission Plant have impacted area groundwater. As recently as 2009, chlorinated solvents were found in thirteen of the areas of interest ("AOIs") tested. These soil and groundwater samples contained PCE and VC – the same contaminants found in groundwater at the West Vermont Site – as well as other contaminants in concentrations exceeding the relevant MCLs. Most of the chlorinated solvent releases in the AOIs at the Allison Transmission Plant have not been fully delineated. This means that actual or threatened impacts to the West Vermont Site posed by known releases from the Allison Transmission Plant cannot be ruled out, and the available information is suggestive of such impacts.

While substantial data gaps exist regarding the precise groundwater flow west of Holt Road, there is historical evidence that groundwater flow at the Allison Transmission Plant has been in a south-southeasterly direction. Attached at Tab C is a copy of Drawing 19 from the 2006 RFI Data Report for the Allison Transmission Plant prepared by Arcadis plainly indicating a south-southeasterly flow. This is consistent with the discussion in the Environ report attached at Tab B and regional studies indicating a south-southeasterly flow in the area. Both Big Eagle Creek and Little Eagle Creek generally flow to the southeast in this area toward their confluence approximately one mile southeast of both the Allison Transmission Plant and the West Vermont Site.

Moreover, there is direct evidence that contamination from the Allison Transmission Plant has impacted groundwater in the immediate vicinity of the West Vermont Site. LNAPL (petroleum) has been reported in studies conducted by or on behalf of Allison or General Motors Corporation at two monitoring well locations within approximately 400 to 500 feet of the West Vermont Site. This area of LNAPL is associated with AOI 40 and has been reported to be the result of one or more transfer line releases between AOI 26 and AOI 13 at the Allison Transmission Plant. AOI 40 is located south-southeast of AOI 26 and AOI 13, indicating a groundwater flow direction from the Allison Transmission Plant to the south-southeast in the vicinity of the West Vermont Site. The precise groundwater flow pathways and any anthropogenic influences between the Allison Transmission Plant and the West Vermont Site have not been adequately studied and are not yet fully understood. As discussed in the Environ report attached at Tab B, with the exception of the Weston Technical Memorandum, all regional

and site specific data of which we are aware indicate that groundwater in the area flows in a south-southeasterly direction.

We understand that U.S. EPA received a copy of Environ's June 2, 2011 report to IDEM regarding its recent investigation near MW-170D to the east of the West Vermont Site. A copy of the June 2, 2011 report is appended to the attachment at Tab A. As indicated in Environ's June 2, 2011 report, VC occurrence in this area appears to be localized and not related to the GPC VRP site. Also, Environ reports that monitoring well clusters are being installed at Holt Road that may further demonstrate that the GPC VRP site is not a source of groundwater impacts at the West Vermont Site. As this information is developed, we will be providing it to IDEM and U.S. EPA. In the meantime, based on the available data, we and our client believe that Environ is correct that the GPC VRP site is an unlikely source of the groundwater contamination at the West Vermont Site.

Please let us know if you have any questions about the information contained in this letter and attached reports or about GPC's position regarding the West Vermont Site.

Sincerely,

Douglas E. Cloud

Sincerely,

Robert D. Mowrey

Attachments

cc: Thomas C. Nash, Office of Regional Counsel